

Appl. No.: 10/053,830
Amdt. dated June 6, 2007
Reply to Office action of 5/21/07

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Remarks/Arguments

Page 7, second paragraph has been amended to delete the term "and 33" as it appears in lines 2 and 4. Numeral 33 is not necessary to an understanding of the structure of the drawings and its removal from the specification satisfies the objection to the drawings under 37 CFR 1.84(p)(5).

Claims 1-6 and 11-25 are presented.

Claims 2-6 and 11-17 are withdrawn from consideration.

Claims 1 and 18-25 are presented for re-consideration.

Claim 1 has been amended for clarity.

Claims 1, 18 and 21-25 stand rejected under 35 USC 103(a) as unpatentable over Sillmann, '925.

These rejections are traversed as the reference fails to teach the claimed structure and also fails to teach achieving the same objects for the mirror support structure.

The rejection of claim 1 appears to be nothing more than a re-statement of the last office action which rejection was argued on pages 9 and 10 of the response of 2/12/07. The Office Action does not address the referenced response and particularly does not address the claim limitations particularly pointed to on page 10 as defining the claim over the reference.

Accordingly the arguments put forth in the referenced response are again presented. It is respectfully urged that should the examiner find these arguments not persuasive, that each be clearly referenced and refuted with reference to the reference

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disclosure supporting examiner's position.

Also reference to Fig. 9 of Sillman is questioned as only Figs. 1-8b are presented.

The statement that it would have been obvious in Sillman to re-arrange or reverse the locking mechanism to include a cylinder and latch member which are positioned on the first part of the support structure instead of on the second part of the support structure is questioned. The assumptions made are in light of Applicant's disclosure and not the disclosure of the reference. The reference is directed to structure which arranges a second mirror relative to a first mirror. The application is directed to a clamping mechanism which makes it possible to mount and demount a mirror assembly while protecting against theft.

The rejection states it would be obvious to reverse the location of the cylinder mechanism 25 and 26 and the latch mechanism 23. It is pointed out that only through major renovation could this be done. Housing frame 17 is not of sufficient size to accommodate lock 26 with the vertically moving bolt 22. Further, no evidence exists that such a change would provide increased stability but rather would appear to be more costly and less effective. Further the claimed mode of operation of the latch member is not taught by the reference disclosure. So now the examiner proposes to be obvious to re-structure and re-arrange the lock mechanism to further include a rotatable latch member carried by frame 17. These proposed changes are hindsight as there is no motivation for these purported obvious structural modifications short of Applicant's disclosure.

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Claims 21 and 22 define over the reference of the rejection with the limitation "the support includes a snap-in detent arrangement" including "a snap-in spring affixed to the support structure". The reference makes no reference to a snap in spring affixed to the support structure. There is nothing in the reference disclosure remotely resembling this structure. The statement that springs are well known is foundless with respect to the rejection.

Claims 23 and 24 define over the reference of the rejection by calling for "a removable cover attachable to the support structure first part for covering the locking mechanism". No cover is provided to cover the locking mechanism in the reference.

The rejection does not reference a cover.

Claim 25 defines over the reference of the rejection by calling for a hook-shaped latch member. No such structure is disclosed nor are catch means disclosed operable with a latch member.

It is noted that dependent claims 19 and 20 are not rejected under 35 USC 102 or 103. Accordingly, claim 19 is now presented in independent form.

Claims 1 and 18-25 are rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 11 and 14 of U.S. of U.S. Patent No. 6,554,436.

This rejection is respectfully traversed as being improper.

The obviousness type double patenting rejection is only proper when the claimed subject matter is not patentably distinct from the claimed subject matter of the commonly owned patent. See MPEP 804.

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Claim 11 is dependent on claim 10 which is dependent on claim 1. Claim 11 therefore consists of all claimed matter in claims 1, 10 and 11. Claim 14 consists of all claimed matter in claims 1, 10, 13 and 14.

Each of claims 11 and 14 include the following limitations "moulded component", "a main rear view mirror", "a supplemental mirror – above the main mirror" and providing "a direct view of at least two dead zone,".

Not a single one of these limitations appears in any of claims 1 and 18-25.

Clearly claims 1 and 18-25 are patentably distinct from claims 11 and 14 of the '436 patent.

The rejection references to the disclosure of the '436 patent are not a factor. The rejection is limited to the claimed subject matter.

Applicant's response omits remarks rebutting the argument that the above rejection is improper.

Claims 1 and 25 are further rejected under the doctrine of double patenting as being unpatentable over claim 8 of U.S. Patent No. 6,352,231. This rejection is again traversed as improper for the previously set forth reasons.

Claim 8 includes all limitations of claims 1, 7 and 8. The claim includes the limitations of "a clamp reception fixture", "a clamp wedge disposed within the insertable component and slidable in a second clamping direction".

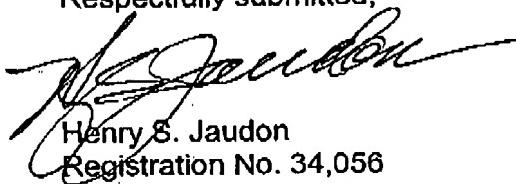
Claims 1 and 25 contain no limitation referencing a clamp wedge.

Clearly the rejection is improper and claims 1 and 25 are patentably distinct from claim 8.

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For the above stated reasons, claims 1 and 18-25 are believed to be patentably distinct over the rejections. It is respectfully requested that the rejections be withdrawn and the claims found to be allowable.

Respectfully submitted,



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